



General Assembly Security Council

Distr.
GENERAL

A/48/88
S/25310
18 February 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-eighth session
Item 115 (c) of the preliminary list*
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS
SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Forty-eighth year

Letter dated 18 February 1993 from the Chargé d'affaires a.i.
of the Permanent Mission of Yugoslavia to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith the statement of the Federal Ministry for Foreign Affairs of the Federal Republic of Yugoslavia concerning the resolution to be adopted by the United Nations Commission on Human Rights (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under the item entitled "Human rights questions: human rights situations and reports of special rapporteurs and representatives", and of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

* A/48/50.

93-09441 4114b (E) 190293

210293

/...

ANNEX

Statement of the Federal Ministry for Foreign Affairs of the
Federal Republic of Yugoslavia concerning the resolution to
be adopted by the United Nations Commission on Human Rights

The current session of the United Nations Commission on Human Rights also has on its agenda an item on the violation of human rights in the territory of the former Yugoslavia, in particular in Bosnia and Herzegovina. The proposed draft resolution is a continuation of a one-sided and impartial campaign being conducted in this body against the Federal Republic of Yugoslavia and the Serbian people as a whole. The text of the resolution, as proposed for adoption by the Commission, is full of political connotations and allegations whose possible implications, political and other, could be extremely harmful for the peace process going on at the Geneva Conference and of late within the Security Council as well.

Over a longer period, charges have been systematically levelled against the Federal Republic of Yugoslavia, and the entire Serbian people has been libelled in an unprecedented campaign. The Federal Republic of Yugoslavia is not being paid tribute for the earnest efforts it is making within the framework of the International Conference on the Former Yugoslavia to promote an early peaceful and just settlement of the crisis in Bosnia and Herzegovina, which is in the vital interest of all, including the Serb community in Bosnia and Herzegovina. Rather than being commended for a number of steps the Government of the Federal Republic of Yugoslavia has undertaken in this context, the Federal Republic of Yugoslavia is indicated as being solely responsible for the situation in these areas. The allegations regarding the status of minorities in the Federal Republic of Yugoslavia are far from being true. On the contrary, they deliberately distort facts in order to cause political instability in Yugoslavia.

Under its Constitution, Yugoslavia is a State composed of all citizens living within its borders and where other ethnic groups (Hungarians, Albanians and Muslims) accounting for about 30 per cent of the population have equal rights as Serb citizens. Many of the co-sponsors of the Human Rights Commission resolution, including the former Yugoslav republics, cannot pride themselves on such a constitution. Furthermore, the systematic, frantic and shameful campaign mounted in the world media has been unseen so far; its only aim is to lay the groundwork for an international action against Yugoslavia of which the current action in the Human Rights Commission is but a part.

The Federal Republic of Yugoslavia considers that such an approach by the Commission on Human Rights does not contribute to the promotion either of respect for human rights, which is its principal task, or of the fundamental human standards laid down in the International Convention on the Elimination of All Forms of Racial Discrimination and the Charter of the United Nations, but rather compromises them. Using the Commission to achieve political ends

is a degradation not only of the Commission but of its role in the preservation and observance of human rights throughout the world. Moreover, the adoption of this resolution and the whole political game around it are in themselves a classic example of violation of the fundamental human right of the Serbian people to exist and not to be discriminated against. To express a collective censure of an entire nation means to set a dangerous precedent for the future work and direction of the Commission.



General Assembly Security Council

Distr.
GENERAL

A/48/89
S/25319
22 February 1993
ENGLISH
ORIGINAL: ENGLISH/FRENCH

GENERAL ASSEMBLY
Forty-eighth session
Item 79 of the preliminary list*
REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING
OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-eighth year

Letter dated 18 February 1993 from the Permanent
Representative of Denmark to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith the text, in English and French, of a statement on the situation in Rwanda issued by the European Community and its member States on 15 February 1993 (see annex).

I should be grateful if you would have the present letter and its annex circulated as an official document of the General Assembly, under item 79 of the preliminary list, and of the Security Council.

(Signed) Bent HAAKONSEN
Ambassador
Permanent Representative
of Denmark
to the United Nations

* A/48/50.

A/48/89
S/25319
English
Page 2

ANNEX

Statement on Rwanda issued by the European Community and
its member States on 21 January 1993

The Community and its member States recall their statement of 21 January 1993, in which they welcomed the progress achieved in the peace process initiated in Arusha.

They condemn the flagrant violation of the cease-fire by the Rwandese Patriotic Front, which is prejudicial to the search for a negotiated solution - the only means of ensuring lasting peace.

The Community and its member States appeal urgently to all political forces to assume their responsibilities in order to avoid an even more catastrophic situation for displaced persons, now numbering hundreds of thousands.

They also condemn all types of violence, including the acts of violence committed by political militants, which have caused hundreds of deaths and heightened political tension.

The Community and its member States call upon the parties concerned to resume the process of conciliation without delay.



General Assembly

Distr.
GENERAL

A/48/90
22 February 1993

ORIGINAL: ENGLISH

Forty-eighth session
Item 36 of the preliminary list*

LAW OF THE SEA

Letter dated 18 February 1993 from the Permanent
Representative of Thailand to the United Nations
addressed to the Secretary-General

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of the Kingdom of Thailand regarding the position of the Royal Thai Government on the right of innocent passage in the territorial seas, the right of transit passage in the straits used for international navigation and the freedom of navigation in the exclusive economic zone (see annex).

I should be grateful if you would have the present letter and its annex distributed as an official document of the General Assembly under item 36 of the preliminary list.

(Signed) Nitya PIBULSONGGRAM
Ambassador
Permanent Representative

* A/48/50.

ANNEX

Statement of the Ministry of Foreign Affairs of Thailand

It has been brought to the attention of the Ministry of Foreign Affairs that several States have now enacted laws and regulations, the effect of which is to restrict the rights of passage and the freedom of navigation of foreign ships in their maritime zones. The Ministry of Foreign Affairs wishes to make known the position of the Royal Thai Government on this matter as follows:

1. According to the well-established rules of customary international law and State practice as recognized and codified by the 1982 United Nations Convention on the Law of the Sea, ships of all States have the right of innocent passage in the territorial sea, the right of transit passage in the strait used for international navigation and the freedom of navigation in the exclusive economic zone of another State.
2. All foreign ships, including warships, merchant ships and fishing vessels, can exercise such rights and freedom without having to give prior notification to, or obtain prior permission, approval or consent from the coastal State concerned regarding their intended passage.
3. Therefore, any laws and regulations which tend to restrict the aforesaid rights and freedom are contrary to the rules of customary international law and are, moreover, incompatible with the obligations assumed by the States concerned when they signed the 1982 Convention.
4. For these reasons, the Royal Thai Government feels obliged to declare that Thailand does not consider herself bound by the laws and regulations in question. In the meantime, it is hoped that States which have enacted such laws and regulations will not actually carry out any measure to impede or interfere in any way with the legitimate exercise by foreign ships of the right of innocent passage in their territorial seas, the right of transit passage in their straits used for international navigation or the freedom of navigation in their exclusive economic zones.



General Assembly

Distr.
GENERAL

A/48/91
24 February 1993
ENGLISH
ORIGINAL: ARABIC/CHINESE/
ENGLISH/FRENCH/
RUSSIAN/SPANISH

GENERAL ASSEMBLY
Forty-eighth session
Item 114 of the preliminary list*

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES,
QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED
PERSONS AND HUMANITARIAN QUESTIONS

Letter dated 24 February 1993 from the Permanent
Representative of Benin to the United Nations
addressed to the Secretary-General

I have the honour to request you to have the text of the attached document from the Holy See, entitled "Refugees: challenge to solidarity" and published by the Pontifical Council "Cor Unum" and the Pontifical Council for the Pastoral Care of Migrants and Itinerant People (see annex), issued in the languages indicated.

I am transmitting to you the Arabic, Chinese, English, French, Russian and Spanish versions of this text, which are official translations by the Holy See; I should be grateful if you would have the text issued as a document of the General Assembly, under item 114 of the preliminary list.

(Signed) René Valéry MONGBE
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative of
Benin to the United Nations

* A/48/50.

PONTIFICAL COUNCIL
"COR UNUM"

PONTIFICAL COUNCIL FOR THE PASTORAL CARE
OF MIGRANTS AND ITINERANT PEOPLE

REFUGEES:
A CHALLENGE TO SOLIDARITY

LIBRERIA EDITRICE VATICANA
VATICAN CITY
1992

PRESENTATION

"A SHAMEFUL WOUND OF OUR TIME"

Pope John Paul II went so far as to use this phrase to describe the problem of refugees in the letter he addressed to the High Commissioner of the United Nations for Refugees (25 June 1982).

After ten years, despite the untiring activity of the international community and charitable organizations, this wound in the side of humanity has continued to grow, infecting the poorest countries: about ninety per cent of refugees are found in third-world countries.

Today the already high number of refugees — about seventeen million — who fall under the strict definition given by international law is doubled by the number of *displaced persons* who do not leave their own countries and are thus not legally protected. There is also a constant rise in the number of those leaving their countries in order to flee from extreme and almost crushing poverty. Although we must always distinguish between refugees and migrants, the dividing line is sometimes difficult to draw, and certain arbitrary interpretations support restrictive policies that are hardly in keeping with respect for the human person.

This document is not satisfied with reviving an often waning public attention to the inhuman condition of refugees, who are tossed about in time and space to the point of losing their identity. Its aim is to stimulate international solidarity, not only with regard to the effects, but above all to the causes of the tragedy: a world where human rights are violated with impunity will never stop producing refugees of all kinds.

When reaffirming the primacy and dignity of the human person, the Church speaks to every individual and to all peoples and to their national and international leaders, exhorting them to make use of their imagination and courage in the search for just and lasting solutions to what John Paul II has called "perhaps the greatest tragedy of all the human tragedies of our time." *

ROGER Cardinal ETCHEGARAY

*President
Pontifical Council
"Cor Unum"*

Archbishop GIOVANNI CHELI

*President
Pontifical Council for the
Pastoral Care of Migrants and
Itinerant People*

* JOHN PAUL II, Address to Refugees in Exile at Morong, Philippines, (21 February 1981): AAS 73 (1981), 390

I

REFUGEES YESTERDAY AND TODAY: A WORSENING TRAGEDY

Exile in the memory of peoples

1. Refugees are not a unique product of our times. In the course of history, tensions between culturally and ethnically diverse groups, and between the rights of the individual and the power of the State have often led to war and persecution, expulsion and flight. Typical examples of such experiences are deeply rooted in the collective memory of every people and are also found in the bible. Joseph's brothers went down into Egypt, driven by a devastating famine (Cf. *Gn* 42:1-3); the people of Judah, defeated in war, were "taken into exile out of their land" (2 *K* 25:21); Joseph took Jesus and his mother and fled by night to Egypt because king Herod was searching for the child to destroy him (Cf. *Mt* 2:13-15); "That day a bitter persecution started against the church in Jerusalem, and everyone except the apostles fled to the country districts of Judaea and Samaria" (*Ac* 8:1).

The situation of refugees

2. The tragedy of forced exile still exists and is growing throughout the world, so that our century has in fact been described as the *century of refugees*. Many of them, like the Palestinians living in numerous camps, have endured this traumatic experience for years or even generations, without ever having known any other type of life.

Behind the approximate but nonetheless telling statistics are hidden both individual and collective sufferings. The places which gave meaning

and dignity to life are lost. Also lost are the places which recall the events of one's own history. Lost is the possibility to pray at the graves of one's parents. The exodus stories of some are particularly dramatic, such as those of the *boat people* or those of persecuted ethnic communities.¹

Life is often very painful in the so-called camps of first asylum, given their overcrowding, the insecurity of national frontiers, and a policy of deterrence which transforms certain camps into virtual prisons. Even when humanely treated, the refugee still feels humiliated, no longer in control of his destiny and at the mercy of others.

Legally recognized refugees

3. Human conflicts and other life-threatening situations have given birth to different types of refugees. Among these are persons persecuted because of race, religion, membership in social or political groups. Only refugees in these categories are explicitly recognized by two important documents of the United Nations.² These juridical instruments do not protect many others whose human rights are equally disregarded.

***De facto* Refugees**

4. Thus, in the categories of the International Convention are not included the victims of armed conflicts, erroneous economic policy or natural disasters.

For humanitarian reasons, there is today a growing tendency to recognize such people as *de facto* refugees, given the involuntary nature of their

¹ Cf. JOHN PAUL II, Encyclical Letter *Centesimus Annus* (1 May 1991), 18: AAS 83 (1991), 815: "Many peoples lost their ability to control their own destiny and were enclosed within the suffocating boundaries of an empire in which efforts were made to destroy their historical memory and the centuries-old roots of their culture. As a result of this violent division of Europe, enormous masses of people were compelled to leave their homeland or were forcibly deported."

² Cf. Convention Relating to the Status of Refugees, adopted on 28 July 1951; Protocol Relating to the Status of Refugees, adopted on 31 January 1967. The Convention defines a refugee as one who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it." Article 1, A 2.

migration. After all, the States who signed the Convention had themselves expressed the hope that it would "have exemplary value beyond its contractual scope."³ The General Assembly of the United Nations has on various occasions asked the High Commission for Refugees to use its good offices to assist such persons who are involuntarily outside their own country. The practice accepted in Europe after the two World Wars, and more recently by some countries of first asylum in other continents, has been moving in this direction.⁴

In the case of the so-called *economic migrants*, justice and equity demand that appropriate distinctions be made. Those who flee economic conditions that threaten their lives and physical safety must be treated differently from those who emigrate simply to improve their position.

People displaced within their own country

5. A great number of people are forcibly uprooted from their homes without crossing national frontiers. In fact during revolutions and counter-revolutions, the civilian population is often caught in the cross-fire of guerrilla and government forces fighting each other for ideological reasons or for the ownership of land and national resources. For humanitarian reasons these displaced people should be considered as refugees in the same way as those formally recognized by the 1951 Convention because they are victims of the same type of violence.

³ Cf. Final Act of the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, Geneva, 28 July 1951. Article IV. E. "The Conference expresses the hope the Convention Relating to the Status of Refugees will have value as an example exceeding its contractual scope and that all nations will be guided by it in granting so far as possible to persons in their territory as refugees and who would not be covered by the terms of the Convention the treatment for which it provides."

⁴ Some official documents have broadened the definition of refugee for a greater humanitarian approach to the phenomenon: the *Declaration on Territorial Asylum*, adopted by the General Assembly of the United Nations, 14 December 1967; the Convention of the Organization of African Unity of 10 September 1969, that regulates the specific aspects of refugee problems in Africa; the Cartagena (Colombia) Conference, 22 November 1984, whose *Final Declaration*, which for the moment has only the force of an opinion shared at the international level, also considers a refugee the person who has escaped his country because of a "massive violation of human rights." (III.3)

Tendency to reduce the protection due to refugees

6. Despite an increased awareness of interdependence among peoples and nations, some States, guided by their own ideologies and particular interests, arbitrarily determine the criteria for the application of international obligations.

On the other hand, in countries which had in the past offered a generous reception to refugees, there is now a disturbingly similar trend of political decisions aimed at reducing the number of entries and discouraging new requests for asylum. While moments of economic recession can make the imposition of certain limits on reception understandable, respect for the fundamental right of asylum can never be denied when life is seriously threatened in one's homeland.

It is troubling to witness the reduction of resources earmarked for the solution of the refugee problem, as well as a weakening of political support for the structures purposely created for such humanitarian service.

New opportunities for progress

7. However, numerous people within various nations are taking firm position against selfish attitudes and the adoption of policies of restrictionism, and are committed to sensitizing public opinion in favor of the protection of the rights of all and of the value of hospitality.

Recent political changes in Central and Eastern Europe and in other parts of the world have opened up new prospects for welcome, dialogue and cooperation, with the hope that the walls torn down may not be rebuilt elsewhere.

II

CHALLENGES TO THE INTERNATIONAL COMMUNITY

Refugees challenge the conscience of the world

8. The first international initiatives took place in a rather limited context. They demonstrated an interest for the sufferings of specifically persecuted persons, which was limited to their individual reasons for leaving their countries. Now that forcibly uprooted people have become multitudes, international agreements must be revised, and the protection they guarantee must be extended to other categories as well.

Recently the discussion concerning the causes that generate and aggravate political instability has focused on poverty, the imbalance in the distribution of the means of subsistence, foreign debt, galloping inflation, structural economic dependence, and natural disasters. It is not surprising that the majority of refugees at present come from developing countries.⁵ However, restructuring of economic relations alone would not be enough to overcome political differences, ethnic discord and rivalries of other kinds.

There will be refugees who are victims of the abuse of power so long as relations between persons and between nations are not based on a true capacity to accept one another more and more in diversity and mutual enrichment.⁶

⁵ The adoption in 1986 by the General Assembly of the United Nations of a *Declaration on the Right to Development* would require a specific reflection on the possibility of applying the juridical instruments actually in force to the people who leave a country in which their right to development is not respected. Does this not establish a new form of "persecution" toward those who belong "to a certain social group," according to Article I, A.2 of the 1951 Convention?

⁶ Cf. JOHN XXIII, Encyclical Letter *Pacem in Terris* (11 April 1963): AAS 55 (1963), 285. The phenomenon of refugees "show that there are some political regimes which do not guarantee for individual citizens a sufficient sphere of freedom within which their souls are allowed to breathe humanly. In fact, under those regimes even the lawful existence of such a sphere of freedom is either called into question or denied. This undoubtedly is a radical inversion of the order of human society...."

The right to a country

9. The problem of refugees must be confronted at its roots, that is, at the level of the very causes of exile. The first point of reference should not be the interests of the State or national security but the human person, so that the need to live in community, a basic requirement of the very nature of human beings, will be safeguarded.⁷

Human rights as defined by laws, agreements and international Conventions already indicate the path to be followed. However, a lasting solution to the problem of refugees will be reached when the international community comes to recognize, above and beyond the norms for the protection of refugee, their right to belong to a community of their own. Many calls are voiced in favor of a more organic approach to the rights of people in search of a place of refuge.⁸

A mentality of hospitality

10. Progress in the capacity to live together within the universal human family is closely linked to the growth of a mentality of hospitality. Any person in danger who appears at a frontier has a right to protection. In order to make it easier to determine why such people have abandoned their country, as well as to adopt lasting solutions, a renewed commitment is needed to produce internationally acceptable norms for territorial asylum.⁹ Such an attitude facilitates the search for common solutions and undercuts the validity of certain positions, sometimes put forward, that would limit acceptance and the granting of the right of asylum to the sole criterion of national interest.

⁷ Cf. Sacred Congregation for Bishops, "Instruction on the Pastoral Care of People Who Migrate" (22 August 1969), 6. AAS 61 (1969), 617.

⁸ Cf. Council of Europe, *Final Communiqué*, Conference of Ministers on the Movement of Persons from Central and Eastern European Countries, Vienna, 24-25. January 1991.

⁹ The United Nations had convened in 1977 in Geneva a diplomatic conference to adopt a Convention on Territorial Asylum capable of filling the juridical void caused by the evolution of the refugee problem. Unfortunately the initiative failed, principally due to the ideological conflicts between the then existing blocks of countries. Fifteen years later, the new geopolitical context seems to invite a renewed effort by the international community to adopt a juridical instrument that can ensure an adequate protection for all refugees in today's world.

For a more comprehensive protection of refugees

11. Protection is not a simple concession made to the refugee: he is not an object of assistance, but rather a subject of rights and duties. Each country has the responsibility to respect the rights of refugees and assure that they are respected as much as the rights of its own citizens.

When people flee from an invasion or civil war, their protection also requires that they be recognized as non-combatants. They in turn must explicitly renounce the use of force.

12. *Conventional refugees* already have been offered some measure of protection; however, such protection must not be limited to a guarantee of physical integrity but must be extended to all the conditions necessary for a fully human existence. Thus they must be assured not only food, clothing, housing and protection from violence, but also access to education and medical assistance, and the possibility of assuming responsibility for their own lives, cultivating their own cultures and traditions, and freely expressing their own faith.

Likewise, since the family is the fundamental unit of every society, the reunification of refugee families must be promoted.

13. While many have already done so, it is desirable that all States become party to the 1951 Convention on the Status of Refugees and to the related Protocol of 1967 and see to it that they are respected.

The exercise of the right to asylum proclaimed by the Universal Declaration of Human Rights (Art. 14, 1) should be recognized everywhere and not obstructed with deterrent and punitive measures. A person applying for asylum should not be interned unless it can be demonstrated that he or she represents a real danger, or there are compelling reasons to think that he or she will not report to the competent authorities for due examination of his or her case. Moreover, such people should be helped with access to work and to a just and rapid legal procedure.

In regard to refugees recognized as such for humanitarian reasons, the behavior of States needs to be articulated in legislation that takes into account all their human needs. In particular, international agreements should include the obligation to not consider those fleeing from systematic

oppression and civil strife as *economic migrants*. Countries that recognize their regional interdependence and aim at coordinating their policies, should adopt a generous and uniform approach towards refugees, one that is open to a variety of solutions.

No to forced repatriation

14. Scrupulous respect for the principle of voluntary repatriation is the non-negotiable basis for the treatment of refugees. No person must be sent back to a country where he or she fears discriminatory action or serious life-threatening situations. In cases where the competent government authorities decide not to accept asylum seekers, arguing that they are not true refugees, these authorities are duty-bound to make sure that such people will be guaranteed a secure and free existence elsewhere. Recent history shows that many people were sent back against their will to a fate that was sometimes tragic: some were pushed back to sea; others were forcibly diverted towards terrains of minefields, where they perished.

Location and structure of refugee camps

15. Refugee camps, necessary though not ideal structures for initial reception, should be located in places as far away as possible from armed conflict, secure from possible attacks.¹⁰ They should also be organized in such a way as to allow refugees to enjoy a minimum of privacy and medical, educational and religious services. The inhabitants should also be protected from the various forms of moral and physical violence, and have the possibility of participating in decisions that affect their daily living. Security provisions should be strengthened where single women are housed to avoid those forms of violence to which they are often subjected.

International organizations, especially those responsible for the protection of human rights, and the communications media should have free

¹⁰ In 1981 the Executive Committee of the United Nations High Commission for Refugees established the principle according to which camps must be placed at a "reasonable distance" from the border (Cf. Conclusion 22).

access to the camps. Since life in camps is artificial and imposed, even traumatizing, a long stay in them makes refugees still more vulnerable. Camps must remain what they were intended to be: an emergency and therefore temporary solution.

No to the silence of indifference

16. The interest in helping refugees, even when felt as a moral obligation to alleviate the sufferings of others, often clashes with the fear of an excessive growth in their numbers, and of a confrontation with other cultures: elements that can disturb established patterns of life, adopted by the receiving countries. People who were viewed with sympathy yesterday because they were still *far off* are turned away today because they are too *close* and imposing. Thus, apart from occasional spontaneous outbursts of public interest, concern for refugees tends to be delegated to certain bodies and groups specifically involved in this sector.

Social communication media can help dissipate prejudice and arouse in public opinion an ongoing concern for refugees. When they uphold policies based on solidarity and human understanding, they prevent refugees from becoming scapegoats for the ills of society. The presentation of a clear, positive image of refugees is particularly necessary in those countries where their presence is exploited to intentionally distract attention from other serious domestic or foreign problems.

Indifference constitutes a sin of omission. Solidarity helps to reverse the tendency to see the world solely from one's own point of view. Acceptance of the global dimension of problems emphasizes the limits of every culture; it urges us towards a more sober lifestyle with a view to contributing to the common good; it makes it possible to provide an effective response to the just appeals of refugees and opens up paths of peace.

III THE WAY OF SOLIDARITY

A world violently torn

17. The contradiction noted by the Second Vatican Council still remains relevant: "There is on the one hand a lively feeling of unity and of compelling solidarity, of mutual dependence, and on the other a lamentable cleavage of bitterly opposing camps. We have not yet seen the last of bitter political, social, and economic hostility, and racial and ideological antagonism..."¹¹ The unresolved problem of refugees is a painful confirmation of this. The lack of a response is still more disturbing inasmuch as it indicates a lack of concern for individual and social rights, even though these are in fact hailed as an achievement of our times.

Contribution of International Institutions

18. Yet, in line with history and owing to ethical reflection, the awareness of interdependence more and more finds expression in international institutions. The action and the witness of specialized bodies of the United Nations, of numerous international non-governmental organizations, of associations of lay or religious volunteers, of social and pastoral services of Episcopal Conferences, deserve esteem and gratitude. Special recognition has to be given to the United Nations High Commission for Refugees, created in 1950 with the main functions to ensure "international protection" for refugees and to search for "durable solutions" to their problems.¹²

¹¹ SECOND VATICAN ECUMENICAL COUNCIL, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes* 44

¹² Among the organizations of the United Nations working on behalf of refugees must also be mentioned the United Nations Relief and Works Agency for the Refugees from Palestine in the Near East, created in 1949.

Among the non-governmental organizations, note should be taken of the role played by the International Catholic Migration Commission, established by the Holy See in 1951 for the service of refugees and migrants.

19. Despite many difficulties of all kinds, numerous members of voluntary associations and officials of international bodies devote themselves to the service of the poorest people and sometimes pay with their lives for the aid which they generously offer. The presence of people engaged in the work among refugees, in a full-time commitment for many years or for shorter periods of time, is an effective witness that must continue and increase.

Concrete Responsibilities of States

20. The time has come to look at refugees quite apart from ideological positions, which have thus far prevented the elaboration of international agreements suited to contemporary needs.

The spirit of solidarity clearly reveals the unacceptable fact that millions of refugees live in inhuman conditions. In particular, the citizens and institutions of democratic and economically developed States cannot remain indifferent in the face of such a tragic situation. Inaction or a meager commitment on the part of these States would blatantly contradict the principles that they rightly consider the basis of their culture, established on the equal dignity of every human person. Today the effective universalization of human rights depends to a large extent on the capacity of the developed nations to make that moral qualitative leap which brings about a change of the structures that keep so many people in a condition of extreme marginalization. It is not only a case of binding up wounds: it is also necessary to act on the causes that are the source of refugee flows. International solidarity must first and foremost be put into practice within the national community and lived out by every citizen.¹³

¹³ Cf. JOHN PAUL II, Encyclical Letter *Sollicitudo Rei Socialis* (30 December 1987), 38: AAS 80 (1988), 565-566: "It is above all a question of interdependence, sensed as a system determining relationships in the contemporary world, in its economic, cultural, political and religious elements, and accepted as a category. When interdependence becomes recognized in this way, the correlative response as a moral and social attitude, as a 'virtue,' is solidarity. This then is not a feeling of vague compassion or shallow distress at the misfortunes of so many people, both near and far. On the contrary, it is a firm and persevering determination to commit oneself to the common good; that is to say to the good of all and of each individual, because we are really responsible for all."

21. The protection of human rights of internally displaced persons requires the adoption of specific and appropriate juridical instruments and of mechanisms of coordination on the part of the international community, whose legitimate interventions cannot be considered as violations of national sovereignty.

Already the recognition of various types of people who are forcibly uprooted constitutes a positive development in the recent international debate on this subject. This makes it easier to appreciate their plight and to plan for their protection and assistance.

22. A particular expression of solidarity toward refugees is the support given for voluntary repatriation, which is the aspiration of the majority of them. There is felt ever more strongly the need to establish a system of international control that would ensure refugees the possibility of returning home in total freedom.

A growing demand of interdependence

23. It is significant that today only a small percentage of refugees seek or receive asylum in countries outside the region of origin. In large part, neighboring countries bear the burden of the assistance which the refugees deserve. This burden should be shared equitably by the international community.¹⁴ Solidarity towards refugees requires joint initiatives of humanitarian assistance and cooperation for development: generosity and creativity are more necessary than ever to make such initiatives flourish.

24. The governments that have already done so much to absorb refugees should not suspend their efforts and close their frontiers, so long as resettlement in third countries remains for many refugees the only possibility for survival. The entry of refugees into the country can create inevitable inconveniences. It also can stimulate the development of local society. However, such opportunity requires suitable political and economic deci-

¹⁴ JOHN PAUL II, Message to the 2nd United Nations International Conference for Assistance of Refugees in Africa (ICARA II) (5 July 1984): *Insegnamenti* VII (1984/2), 26-28.

sions by the host country. Refugees, on their part, should help one another, placing their human and spiritual resources at the service of the search for valid solutions to cope with their situation.¹⁵

International institutions are called upon to play a role of mediation between different cultures and socio-political systems in order to allow people to better assume forms of behavior that favor social integration.

The way of solidarity demands on the part of everyone the overcoming of selfishness and of fear of the other; it demands a long range action of civic education which by itself can contribute to the elimination of some of the causes of the tragic exodus of refugees; it calls for setting in motion some prevention mechanisms as well as a better concerted action between international institutions and local authorities.

¹⁵ Cf. JOHN PAUL II, Message for Lent 1990: 8 September 1989; *Pontifical Message for Lent*; Pontifical Council "Cor Unum", Vatican City, 1991, p. 39.

IV

THE LOVE OF THE CHURCH FOR REFUGEES

The concern of the Church for all refugees

25. The tragedy of refugees is "a wound which typifies and reveals the imbalance and conflicts of the modern world."¹⁶ It shows a divided world that is far from that ideal according to which "if one member suffers, all suffer together" (*I Co* 12:26). The Church offers her love and assistance to all refugees without distinction as to religion or race, respecting in each of them the inalienable dignity of the human person created in the image of God (cf. *Gn* 1:27).

Christians, strong in the certainty of their faith, must demonstrate that by placing the dignity of the human person with all his or her needs in first place, the obstacles created by injustice will begin to fall. They are aware that God, who walked with the refugees of the Exodus in search of a land free of any slavery is still walking with today's refugees in order to accomplish his loving plan together with them.

The task of the local Church

26. The responsibility to offer refugees hospitality, solidarity and assistance lies first of all with the local Church. She is called on to incarnate the demands of the Gospel, reaching out without distinction towards these people in their moment of need and solitude. Her task takes on various forms: personal contact; defense of the rights of individuals and groups; the denunciation of the injustices that are at the root of this evil; action for the adoption of laws that will guarantee their effective protec-

¹⁶ JOHN PAUL II, Encyclical Letter *Sollicitudo Rei Socialis*, 24 op. cit., 542

tion; education against xenophobia; the creation of groups of volunteers and of emergency funds; pastoral care. She also seeks to instill in refugees a respectful behavior and an openness towards the host country.

In expressing the concern of the universal Church, each local Church must be able to depend on the charitable activity of other ecclesial communities, especially those with greater resources. When refugees are present in large numbers, the Church will step up its cooperation with all interested social agencies and with the competent authorities.

The parish

27. The first place for the Church's attention to refugees remains the parish community, which has the task of sensitizing its members to the plight of refugees, exhorting them to welcome as Jesus taught: "I was a stranger and you welcomed me" (Mt 25:35). It should not view the new arrivals as a threat to its cultural identity and well-being, but as an incentive to walk together with these new brothers and sisters who are themselves rich in particular gifts, in an ever-new process of forming a people capable of celebrating its unity in diversity. Benevolence, respect, trust and sharing are practical expressions of a culture of solidarity and hospitality. The Christian community must overcome fear and suspicion toward refugees, and be able to see in them the Savior's face.

Spiritual care for those who live in camps and for groups most at risk

28. All refugees have the right to a type of assistance that includes their spiritual needs during the time of asylum spent in a camp and during the process of integration in the host country. Thus, they can find the comfort to bear their harsh trial and to grow in their own religious experience. Therefore ministers of different religions must be allowed full freedom to meet with refugees, to live with them and to offer them an adequate assistance.¹⁷ The Church, however, deplores all forms of proselytism among refugees that take advantage of their vulnerable situation, and upholds the principle of freedom of conscience even in the difficulties of exile.

¹⁷ Cf. PONTIFICAL COMMISSION FOR THE PASTORAL CARE OF MIGRANTS AND TOURISM, Circular Letter to Episcopal Conferences, *For the Pastoral Care of Refugees: On the Move*, 36, Vatican City, 1983.

A large percentage of refugees is made up of children, who are the most severely affected by the trauma experienced during their development; their physical, psychological and spiritual balance is seriously jeopardized. Women constitute the largest percentage of the refugee population throughout the world and are often more exposed to a lack of understanding and to isolation. In the face of such situations, priority must clearly be given to a concerted effort to provide specific moral support for these people.

Volunteers among refugees

29. Volunteers who work among refugees also need specific pastoral care. They live in conditions which weight heavily on them. They are almost always far from their own linguistic and cultural context and are faced with human problems with which they are not always trained to cope. Hence they need encouragement and support, even financially. The refugees themselves are called to join with volunteers, thus enabling themselves to be heard by directly participating in the discernment and expression of their needs and aspirations.

Cooperation within the Church

30. In the work of pastoral care of refugees, cooperation between the Churches of the countries of origin, temporary asylum and permanent resettlement is now more necessary than ever. Meetings between these different Churches are very important, because they allow for the promotion of spiritual and social cooperation as well as for the possibility of making available to refugees priests and religious of the same language and, if possible, of the same culture. Fraternal cooperation between Churches and coordination on the regional level can set in motion or increase dialogue between the various parties involved with assistance to refugees.

31. In this context, the social and charitable organizations of the Episcopal Conferences, particularly the pastoral commissions for specific

aid to migrants and refugees, play an important role and must work in co-operation with other institutions.¹⁸ Cultural institutions, universities, and seminaries are also encouraged to reflect on the plight of refugees and on their living conditions. It is necessary to contribute to the formation of public opinion and to develop instruments of analysis to enhance a sense of hospitality.

32. In view of the worldwide character of their mission and membership, religious institutes are warmly invited to increase their presence among refugees in order to supplement the efforts of local Churches, working in close cooperation with bishops. The often heroic witness of many men and women religious in this apostolic field is a particular source of joy to the Church.

33. The work performed by the international Catholic organizations involved in welfare and development is vital. It must not, however, duplicate but rather support the work performed by local organizations. Their direct experience of the milieu generally makes their service more effective.¹⁹ Besides, it is important not to divide social assistance from pastoral care.

In cooperation with the competent Dicasteries of the Holy See, an effective network can be organized to deal with emergencies and call immediate attention to the root causes that produce refugees.

Ecumenical and inter-religious cooperation

34. Aid to refugees offers ample prospects and new possibilities for ecumenical action. Openness, communication, the sharing of appropriate information, the exchange of invitations to international and regional

¹⁸ The important contribution of numerous religious Orders and Congregations that have created specialized centers and programs at the service of refugees must be noted.

¹⁹ Cf. JOHN PAUL II, Address at the JOHN XXIII International Peace Prize Ceremony, to the Catholic Office for Emergency Relief and Refugees (COERR) — an organization of the Church in Thailand — in recognition of its work in favor of the Southeast Asian refugees (3 June 1986): *Insegnamenti*, IX, 1986/1, 1747-1756.

meetings, all play an important role in ecumenical relations and in the determination of a global response to the problem of refugees.

Cooperation among the various Christian Churches and the various non-Christian religions in this charitable work will lead to new advances in the search for and the implementation of a deeper unity of the human family. The experience of exile can become a particular time of grace, just as it was for the People, who, when exiled in the desert, came to know the name of God and experience his liberating power.

CONCLUSION

SOLIDARITY IS NECESSARY

35. The tragedy of groups and even of entire peoples forced to go into exile is felt today as a constant attack on essential human rights. The condition of refugees that reaches to the very limits of human suffering becomes a pressing appeal to the conscience of all.

36. The Church, "a sign and instrument of communion with God and of unity among all men,"²⁰ accepts the call to build a civilization of love and commits herself to bringing it about through her various internal structures, her initiatives of service, and of ecumenical and inter-religious cooperation. She offers a disinterested love to all refugees, calls public attention to their situation, and contributes with her ethical and religious vision to restore and uphold the dignity of every human person.

Her experience of humanity acquired in the course of history, enriched by the reflection and work of many people, can offer a decisive help in educating future generations and formulating adequate laws.

37. Human solidarity, as witnessed by any community that welcomes refugees and by the commitment of national and international organizations that care for them, is a source of hope for the real possibility of living together in fraternity and peace.

²⁰ SECOND VATICAN ECUMENICAL COUNCIL, Dogmatic Constitution on the Church *Lumen Gentium*, 1.